PRELIMINARY AMENDMENT

Serial Number: 10/017,800 Filing Date: December 12, 2001 Title: RATE SMOOTHING CONTROL Page 3 Docket No: 279.353US1

REMARKS

The specification has been amended to update the status of Patent Application No. 09/579,951 and to correct an inadvertent error on the relationship between U.S. Patent Application No. 09/579,951 and U.S. Patent Application No. 09/570,091. Applicant believes that no new matter has been added by the amendment.

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6965 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully Submitted,

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By their Representatives,

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| Date | -1 | 2 | _ | 200 | 7 | By |
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| CERTIFICATE UNDER 37 CFR § 1.8: The undersigned he | ereby certifies that this correspondence is being filed using the USPTO's electronic |
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| filing system EFS Web, and is addressed to: MS: RCE, Comm | nissioner for Patents, P.O. B ox 1450 Alexandria, VA 22713-1450 on this day |
| or January 2007. | STILLA TILLAL |